

II.
JURISDICTION & VENUE

3. This civil action arises out of Graco's discrimination against Plaintiff, Graco's harassment of Plaintiff, and Graco's retaliation against Plaintiff during her employment by Graco. This civil action is based on the following claims: sex discrimination, harassment, hostile work environment, and retaliation in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e.

4. This Court has jurisdiction over Plaintiff's federal claims pursuant to 28 U.S.C. § 1331.

5. Plaintiff has exhausted her administrative remedies by submitting timely charges of discrimination with the Equal Employment Opportunity Commission ("EEOC") on March 11, 2014 and September 4, 2014. Plaintiff has received two Notice of Right to Sue letters from the EEOC, dated July 30, 2014, and September 24, 2014. Plaintiff has timely filed this action within 90 days of receipt of the earlier notice.

6. Graco maintains an office in Seminole, Seminole County, Oklahoma, where the events giving rise to this lawsuit occurred. Seminole County is within the Eastern District of Oklahoma and therefore venue is proper in this Court under 28 U.S.C. § 1391(b).

III.
STATEMENT OF FACTS

7. On July 22, 2013, Graco hired Plaintiff as a secretary in Graco's Seminole, Oklahoma office.

8. While working for Graco, Plaintiff was the only woman employed at Graco's Seminole, Oklahoma office. In fact, before Plaintiff began her job, a man was hired for the secretary position, but failed his drug test before his start date.

9. In September 2013, Plaintiff took time off to help her brother recover from a broken back. When Plaintiff returned to work, she overheard Michael Friend, the store manager, and Ron Runyan, the assistant store manager, talking. Among other things, Michael Friend said that he could not wait until the "fucking bitch" came back to work, and that he would "really make [Plaintiff] cry" when she returned.

10. Plaintiff reported the incident to Bobby Friend, the district manager, and he agreed to talk to Michael Friend about the incident.

11. However, after the incident, Michael Friend and Ron Runyan became even more hostile to Plaintiff and obstructed Plaintiff in her job duties whenever they could.

12. As an example, on January 10, 2014, Ron Runyan called Plaintiff a "fucking cunt."

13. On or about December 23, 2013, Plaintiff asked Michael Friend if she would be receiving her 90 day review, which enabled her to receive a quarterly raise. Michael Friend told Plaintiff she would not be receiving a raise.

14. Shortly thereafter, Michael Friend gave raises to three or four male employees who had started at Graco after Plaintiff.

15. On March 11, 2014, Plaintiff filed a charge of discrimination against Graco through the EEOC's Oklahoma City area office, alleging discrimination on the basis of gender.

16. On July 10, 2014, Graco terminated Plaintiff's employment in retaliation for her filing a charge with the EEOC. Graco terminated Plaintiff while the EEOC was still investigating Plaintiff's allegations.

17. On September 4, 2014, Plaintiff filed an additional Charge of Discrimination with the EEOC for Graco's retaliation.

18. Plaintiff has received two Notice of Right to Sue letters from the EEOC, dated July 30, 2014, and September 24, 2014.

IV. THEORIES OF RECOVERY

FIRST CLAIM FOR RELIEF (TITLE VII)

Plaintiff incorporates all prior allegations and further alleges and states as follows:

19. The matters alleged above constitute violations of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e in the nature of gender based discrimination, harassment, hostile work environment, and retaliation.

20. As damages, Plaintiff has suffered emotional distress and other equitable and compensatory damages allowed by the Civil Rights Act of 1991.

21. Because Graco's actions were willful, wanton or in reckless disregard of Plaintiff's rights, Plaintiff is entitled to punitive damages as provided by the Civil Rights Act of 1991.

**SECOND CLAIM FOR RELIEF
(BURK TORT)**

Plaintiff incorporates all prior allegations and further alleges and states as follows:

22. The acts alleged above constitute a violation of the public policy of the State of Oklahoma, which prohibits denial of advancement and termination in retaliation against an employee for complaining of harassment, intimidation, and other abuse by fellow employees.

23. As damages, Plaintiff has suffered lost earnings, past and future, and other compensatory damages.

24. Because Graco's actions were willful, wanton or, at the least, in reckless disregard of Plaintiff's rights, Plaintiff is entitled to punitive damages.

**V.
PRAYER FOR RELIEF**

WHEREFORE, Plaintiff prays that the Court enter judgment in favor of Plaintiff and against Graco, and assess compensatory damages, liquidated damages, emotional distress damages, punitive damages, costs, attorney's fees and other relief as this Court may deem equitable and appropriate and allowed by law.

Respectfully submitted,

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